Danner, Ward

From: Jennifer deNicola <jd18@me.com>
Sent: Sunday, January 12, 2014 9:50 PM
To: Armann, Steve
Cc: Wilson, Patrick; Santos, Carmen; Baylor, Katherine
Subject: Dec 31, 2013 test result review

Dear Steve Armann,

I know you have received many messages from many concerned parents regarding testing methods, testing results and EPA regulations. We have valid reason for concern.

I have spent many hours on the phone with the EPA soaking up the information I have been provided. I have reached out to many experts in the US. There is a common agreement in the toxin testing world that certain standards are followed. Mr. Patrick Wilson has informed me many times that in order to know the school is safe, we, the EPA, must do: "a sampling plan in the right areas, using the right methods, to produce quality data and then be able to make sound decisions."

According to Sandra Lyon, you emailed her last week and said:
Per the January 8, 2014 email from Steve Armann of EPA Region IX: “These results, as well as the air sampling from November 2013, are all at reported PCB concentration below our acceptable level for Schools of 0.2 ug/m3 for air and are within our acceptable risk range for residential exposures, including the maximum concentration of PCBs in air.”

How can you make a statement about data that is not yours, that you did not review a testing plan and that you did not oversee? You can not make scientifically sound decisions on data that is not EPA data. Especially data that you know was done with the windows open, despite the EPA's stand that windows should be closed. Do you know if the room was sealed up for 24 hours prior to air testing? (please see attached below regarding sampling methods) Do you know if the air sampling machines were calibrated correctly? Do you know how each test result ended up at 9555 liters of air?

Where in this statement did you qualify that:

1. none of these tests were done under EPA supervision or with EPA input and the EPA cannot verify testing methods used to gather samples.
2. the tests on Dec 21 & 22, 2013 were done without a testing plan submitted to the EPA and therefore were not approved by the EPA
3. the tests on Dec 21 & 22, 2013 were done with the windows open in most rooms that could be opened, despite the EPA stating in writing that air testing should be done with the windows closed.

I have notes from my phone calls with the EPA. For example, during a call with Patrick Wilson and Carmon Santos, Carmon said, "when a source of PCBs is greater than or equal to 50ppm, it triggers requirements for cleanup under TSCA. A secondary source like the dust/wipe sample will be regulated b/c of the source being 50ppm. Secondary sources must be cleaned up to a health based number." (RSL) I expect this is true and will be done on our campus.

Included in this conversation was the caveat, "This is not EPA's testing so we do not rely on the data." So if the testing done in Nov 2013 that was not done by the EPA, why are you sending out statements that the data safe?

On Nov 21st, 2013, you said on the phone conference that, "the wipe samples were higher that we are comfortable....and we are somewhat concerned with the results." How does this message change into the EPA says the rooms are safe?

I have been told by Patrick Wilson as well as other toxicologists, that for schools the EPA defaults to residential standards. That children are more sensitive to adults and EPA likes to error on the side of caution.

Medical experts suggest that the EPA screening levels are too high. When exposed to different congeners at the same time, these congeners behave differently in the body and target different issues. There is enough evidence that low levels of exposure to PCBs cause thyroid issues and there is enough evidence that PCBs cause thyroid cancer. Additionally, PCB exposure activates estrogen and anti-estogen. When other toxins are exposed along with PCBs, there is an increase in affects at lower levels.

There is no EPA approved policy that a school should use a risk factor of .2 ug/m3, that I have seen. I have addressed this issue with Patrick Wilson.

At this time, based on everything that the EPA has witnessed in this case: the limited data, the improper testing collection(please see attached below regarding sampling methods), the blatant disregard to EPA requirements of keeping the windows open, the lack of transparency to the EPA, the misinformation that was given to the EPA about HVAC systems at MHS, etc, I think it is premature and irresponsible to assure our community that the classrooms are safe or that the test results are within EPA acceptable risk range.

Our school has not been thoroughly tested for all toxins previously found on our campus. The cumulative risk associated with multiple toxin exposure can have a greater affect. Until the entire picture is presented to the EPA with all toxins tested in the classrooms and the soil, the EPA should not be assessing the school and claiming that it is safe. Without proper testing of PCBs up to now, the EPA should not be claiming that the classrooms are within EPA acceptable range.

I urge you to make all of this clear to the parents and teachers of MHS immediately. In addition, will you please send me a copy of the letter that you sent to Sandra Lyon that references your statement above.

I anxiously await your reply,

Sincerely,
Jennifer deNicola

https://www.health.ny.gov/environmental/indoors/air/guidance.htm

1. Air samples are sometimes designed to represent typical exposure in a mechanically ventilated building, and the operation of HVAC systems during sampling should be noted (see HVAC section on the attached indoor air quality questionnaire). In general, the building's HVAC system should be operating under normal conditions. Unnecessary building ventilation should be avoided within the 24 hours prior to and during testing. During colder months, heating systems should be operating under normal occupied conditions (i.e., 65°-75° F) for at least 24 hours prior to and during the scheduled sampling time.

Depending on the goal of the indoor air sampling, some situations may warrant deviation from the above protocol regarding building ventilation. In such instances, building conditions and sampling efforts should be understood and noted within the framework and scope of the investigation.

FOR 24 HOURS PRIOR TO SAMPLING, ALL REASONABLE MEASURES SHOULD BE TAKEN TO AVOID

- Opening any windows, fireplace dampers, openings, or vents
- Operating ventilation fans unless special arrangements are made
- Smoking in the house
- Painting
- Using wood stoves, fireplaces or other auxiliary heating equipment (e.g., kerosene heaters)
- Operating or storing automobiles in an attached garage
- Allowing containers of gasoline or oil to remain within the house, except for fuel oil tanks
- Cleaning, waxing, or polishing furniture or floors with petroleum- or oil-based products
- Using air fresheners or odor eliminators
- Engaging in any hobbies that use materials containing volatile organic chemicals
- Using cosmetics, including hairspray, nail polish, nail polish removers, perfume/cologne, etc.
- Applying pesticides